



EXPRESS MAIL LABEL NO. EL 976 544 470 US  
Date Mailed: June 16, 2004

**PATENT**

**Attorney Docket No. 39766-0131 R1-1D1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                |   |   |
|--------------------------------|---|---|
| In re application of:          | ) | Examiner: BUNNER, Bridget E.            |
| Yves DUBAQUIE, et al..         | ) | Art Unit: 1647                          |
| Application No.: 10/028,410    | ) | Confirmation No. 4233                   |
| Filed: December 19, 2001       | ) | Attorney's Docket No. 39766-0131 R101D1 |
| Title IGF AND INSULIN VARIANTS | ) | Customer No. 25213                      |

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39766-0131 R1-1D1).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: June 16, 2004

By: Leslie Mooi  
Leslie A. Mooi, Reg. No. 37,047

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**INFORMATION DISCLOSURE  
STATEMENT**

PTO-1449

ATTY. DOCKET NO.

39766-0131 R1-1D1

SERIAL NO.

10/028,410

APPLICANT Yves DUBAQUIE et al.

FILING DATE

December 19, 2001

GROUP: 1647

**U.S. PATENT DOCUMENTS**

| EXAMINER'S<br>INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|------------------------|------------|------|------|-------|----------|-------------|
|                        |            |      |      |       |          |             |
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**FOREIGN PATENT DOCUMENTS**

| EXAMINER'S<br>INITIALS | PATENT NO.  | DATE       | COUNTRY | CLASS | SUBCLASS     | TRANSLATION              |                          |
|------------------------|-------------|------------|---------|-------|--------------|--------------------------|--------------------------|
|                        |             |            |         |       |              | YES                      | NO                       |
|                        | WO 96/37216 | 11/28/1996 | PCT     | A61K  | 38/30, 38/35 | <input type="checkbox"/> | <input type="checkbox"/> |
|                        | WO 98/11913 | 03/26/1998 | PCT     | A61K  | 38/30        | <input type="checkbox"/> | <input type="checkbox"/> |
|                        |             |            |         |       |              | <input type="checkbox"/> | <input type="checkbox"/> |
|                        |             |            |         |       |              | <input type="checkbox"/> | <input type="checkbox"/> |

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.